

CHARTER COMMISSION MEETING MINUTES

MONDAY, NOVEMBER 8, 2010

705 W. University Avenue, Council Auditorium

Commission members in attendance: Odon Bacque, Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, D. Keith Miller, Stephen J. Oats, Aaron Walker

Absent: None

Charter staff members in attendance: Vivian Neumann (Assistant City-Parish Attorney) and Veronica L. Williams (Charter Commission Clerk)

Council Members/Staff in attendance: Council Chair Jay Castille, Council Member Keith Patin, Council Clerk Norma Dugas

Administration staff in attendance: Lafayette Utilities System Customer & Support Services Manager Andrew Duhon

(5:30 p.m.) AGENDA ITEM NO. 1: Call to order
Chair George Lewis called the meeting to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance
Commissioner Greg Manuel was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members.
Given the limited public comment received thus far, Bourgeois requested that the 5-minute rule for speakers be suspended. Lewis concurred and suspended the 5-minute rule.

AGENDA ITEM NO. 4: Recognize Dr. Pearson Cross, Political Science Professor at University of Louisiana at Lafayette

Dr. Cross stated that he had been following the discussion on possible Charter amendments and gave a presentation entitled “*Values and Dynamism in Institutional Structure*”. Structure promotes various values; and government structures are about values. The different structures emphasize different values related to democratic accountability, representation, efficiency and diversity. Cross then provided a brief history on governmental structures, noting that there was no right answer.

What were the trends in governmental structures? The biggest trend was called “blurring”, which meant that there were very few pure forms of government. Cross then identified the four (4) major forms of government:

- 1) **Strong Mayor-Council Form** is based on the principle of separation of powers. The Mayor is the executive arm; The Council is the legislative arm. Forms 1 and 2 were used in 98% of American cities.
- 2) **Council-Manager Form** is based on the principle of unified authority and housed with the Council, similar to the existing Lafayette Parish School Board who appoints a superintendent.
- 3) **Town Meeting Form** is a system in which most or all the members of a community come together to legislate policy and budgets for local government.
- 4) **Commission Form** happens at most county/police jury levels and may not have a chief executive officer. This form is the most confusing and inefficient of all the governments.

Lewis asked that Cross identify the powers associated with the mayor under the strong mayor-council form of government and Cross responded this form had a direct election for a mayor, with powers of representing the City and making appointments to boards/commissions. Lafayette clearly had a strong mayor-council form of government with a Chief Administrative Officer (CAO). The leadership differences were noted in a strong mayor-council form of government vs. a council-manager form. Under a strong mayor-council, political leadership supports distilled demands of the citizens into issues, setting goals, fostering acceptance of goals, mobilizing support and building coalitions. Under the council-manager form, administrative leadership implements policies, increases efficiency, recommends strategies, coordinates resources, etc. The values of a professional manager bring distinctive values to local government.

There were two (2) basic local election systems: 1) at large and 2) by district. There could be a mix of the two. Lewis asked if Cross knew of any governments that utilized the weighted vote system and Cross responded, although the system had been widely discussed, he did not recall a government that used the system. Bacque asked for Cross' advice on the benefits and/or detriments of Consolidated Government and Cross, speaking from a personal prospective and not on behalf of the university, stated that the initial move to Consolidate was seen as constructive and like with the fiber initiative, it made Lafayette a forward looking community. People on the original Charter Commission identified problems with the current form. From Cross' standpoint, the government was flawed and did not work out the way everyone thought it would. It was his opinion that the City of Lafayette would have to preserve itself and protect its citizens. However, he was not sure how that was to be accomplished. Lewis thanked Dr. Cross for his presentation.

AGENDA ITEM NO. 5: A general discussion of Commissioners' questions, decision dates, etc.

Lewis noted that both he and Conque had submitted proposals on governance structures. Both proposals would not impact the current way the consolidated services were being provided under Lafayette Consolidated Government. Lewis' proposal was identified as the "tweaking" model; Conque's proposal was termed the Lafayette Unified Government (LUG) model. Lewis' proposal would create a new City Council, with all other aspects of the current form of Consolidated Government remaining the same.

During the last meeting, Conque noted that a vote to create a Parish Council failed because Commissioners needed more time. Although he did not support the motion for a Parish Council, Manuel stated that he thought there was a need for a parish government; however, he felt the process needed to slow down so the information could be disseminated better. The main point was that...there were issues to address over-and-above the utility board. Lewis reminded that a separate City Council had been approved by the Commission as a preliminary amendment to handle the City affairs. Walker asked if, under Lewis' proposal, the mayor-president would have veto power and whether someone from the City of Scott could be the mayor-president and Lewis responded affirmatively to both and reminded that the Council could override the veto. Oats noted that an override would take a supermajority of the Council Members and added that he thought a mayor for the City of Lafayette would be needed. Conque stated that the mayor-president, under Lewis' proposal, would have veto power over two (2) separate Councils.

Conque stated that in the LUG model, a provision would be written in the Charter to establish a structure for the manner in which the services are to be provided. There would be separate legislative bodies for the city and parish with the City having 5-members and the Parish with 7-members. The suggested membership would address the voting rights act. The proposal was for a strong mayor-council form of government for the City and a Parish Council with one member serving at large as the permanent chair. An oversight committee of 5-

members would be established to communicate with the administrator. The Committee would consist of the mayor of the City of Lafayette, and both the Chairs and Vice-chairs of each Council. Carson stated that she supported Lewis' model for the most part, as it would be the most cost efficient and the least disruptive to the current system.

If there were two (2) separate Councils, Manuel stated that there should be two executives. Oats agreed that there was a need for a full time head of the Parish and did not feel that departments needed to be listed in the Charter. Manuel asked for the Assessor's comments on possible ways on improving the revenue stream for the Parish and Conrad Comeaux responded that the problem with the unincorporated parish was that sales tax revenues were lost when another municipality annexed commercial property into their municipality.

Based on Conque's previous presentation on Urban and General Service Districts, Manuel suggested a Parish Council be created. Lines would be drawn to touch around each of the existing six (6) municipalities to create a district taking into account the unincorporated parish. Each municipality would be the center of that district. There would be an at-large Council member that would be the tie breaker (the 7th Council Member). Lewis and Conque noted that the proposal may run into problems under the voting rights act and with the requirement for equal districts.

Bacque stated that it seemed difficult to come to a consensus and suggested that a spreadsheet be created and a public hearing be held based on the options on the spreadsheet. Manuel reminded that there were a lot of ideas being proposed. Oats added that the Commission would get more input once a direction was identified and did not feel that the spreadsheet, at this point, would generate much public comment. Lewis stated that a majority of the Commissioners did come to consensus with reference to: creating a City Council, creating some type of parish government, and finally, the consolidation of services.

Bacque asked who would draft the amendments and Lewis responded that Legal would assist with the amendments. Bacque suggested that the Commission move in two different tracks and have Legal begin working on a document including recommended changes under the various departments. Conque noted that until a structure was determined, excessive costs could be incurred. Both Bacque and Oats concurred that someone with expertise could be sought to draft a Charter based on the recommended proposals. Bacque stated that he would be hesitant to take the departments out of the Charter. Lewis reminded that some of the current departments did not exist in the Charter.

Oats concurred that the Commission needed to work on multiple tracks with a professional with expertise in this area, outside of the Legal Department.

AGENDA ITEM NO. 6: Further consider and discuss proposals relative to the governance structure of Lafayette Consolidated Government

See governance structures discussed under Agenda Item No. 5.

AGENDA ITEM NO. 7: General comments from the public on Consolidation

► Nancy Mounce stated that Dr. Cross had given the Commission the best of both worlds under the strong mayor-council form of government for the city and the council-manager form for the parish. There was no longer an incentive to annex into the City of Lafayette, which resulted in an enormous loss of money. As a former City Council person of a 5-member body, it was her experience that a smaller number of Council

members worked better. The commission was making decisions based on philosophical differences; however, the government was here to serve the people. The simpler the structure, the more responsive government would be to the citizens.

AGENDA ITEM NO. 9: Adjourn

There being no further business, the meeting adjourned at 7:35 p.m.